A Memorandum and Order having been filed this day, denying the petition for a writ of habeas corpus, denying a certificate of appealability, and directing the Clerk of Court to close this case, it is

ORDERED AND ADJUDGED that petitioner take nothing of respondent; and that the petition for a writ of habeas corpus is denied; that a certificate of appealability is denied; and that this case is hereby closed. The Clerk of the Court is directed to send a copy of this Judgment and the accompanying Memorandum and Order to the petitioner.

Dated: Brooklyn, New York February 20, 2013 Roslynn R. Mauskopf

ROSLYNN R. MAUSKOPF United States District Judge